

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TENNESSEE
EASTERN DIVISION

COPY

FILED BY *[Signature]*
05 SEP 13 PM 2:55
D.C.

UNITED STATES OF AMERICA,

Plaintiff,

Cr. No. 1-02-10011-T

v.

GARY DEWAYNE ROSS,

21 U.S.C. § 841(a)(1)

18 U.S.C. § 924(c)

18 U.S.C. § 2

Defendants.

MOTION FOR WITHDRAWAL

COMES NOW, Danny R. Ellis, and moves this Honorable Court for an order allowing counsel to withdraw. As grounds, counsel would state as follows:

Counsel was appointed to the Defendant's case to conduct sentencing hearing.

During the course of counsel's investigation, it was discovered that a Jonathan McDougal was an informant against the Defendant.

Counsel represented Mr. McDougal in a previous case.

As such, counsel has an inherent conflict in representing Defendant.

WHEREFORE, the above premises considered, counsel would request an order allowing his withdrawal from this case.

Respectfully submitted,

[Signature]
Danny R. Ellis, BPR 020747
1289 N. Highland Ave.
P.O. Box 3146
Jackson, TN 38303-3146
731-988-9900

MOTION GRANTED

DATE: 13 September 2005

[Signature]
James D. Todd
U.S. District Judge


This document entered on the docket sheet in compliance
with Rule 55 and/or 32(b) FRCP on 9/14/05

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that he has served a true copy of the foregoing Motion for Withdrawal on **Victor L. Ivy, Asst. U.S. Attorney, 3rd Floor Federal Bldg., 109 S. Highland Ave., Suite 300, Jackson, Tennessee 38301**, by mailing same, postage pre-paid, to respective office of said counsel.

This 12th day of September, 2005.

A handwritten signature in black ink, appearing to be "D. R. Ivy", written over a horizontal line.



Notice of Distribution

This notice confirms a copy of the document docketed as number 124 in case 1:02-CR-10011 was distributed by fax, mail, or direct printing on September 14, 2005 to the parties listed.

Victor Lee Ivy
U.S. ATTORNEY'S OFFICE
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Jackson, TN 38301

Danny R. Ellis
MUELLER & ELLIS, PLC
1289 N. Highland Ave.
P.O. Box 3512
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Honorable James Todd
US DISTRICT COURT